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Appeal, Third District, California (161 Pac., 132), it was held that where the owner of a theatre containing a possible means of exit which might or might not become a dangerous nuisance according to the manner in which the premises were used, he was not responsible for injury sustained by a patron, although the lessee was undoubtedly liable. In the principal case it seems clear that the owner ought not to be held liable because he had leased a lake in its natural state and the lessee had been negligent in its use or management. As the court remarks, "The owners are not to be regarded as the creators of the situation or authors of the wrong that resulted."

Corporations—Dividends—Power of Stockholders to Declare and Rights Therein.—In *Thiry v. Banner Window Glass Co.*, in the Supreme Court of Appeals of West Virginia (October, 1917, 93 S. E. 958), the following is from the syllabus by the court:

"While by § 39, chapter 53, of the Code (W. Va.) of 1913 (§ 2872) the board of directors of a corporation is the only governing authority authorized to declare dividends, nevertheless, where stockholders and directors by common consent concur in the management and control of the corporation, such action of the stockholders in declaring dividends, the rights of creditors being in no way involved, is not an invalid corporate act, and the corporation is bound thereby.

"Though a dividend so declared be at the time in excess of the actual net profits earned, the rights of no creditor being involved, and the corporation being solvent, a stockholder cannot be denied his pro rata share of such dividend, and in a action by him against the corporation therefor the supposed illegality of such corporate action is no defense, nor is such stockholder estopped in such action by the fact that he has been paid and accepted sums in the aggregate less than his pro rata share.

"Where a stockholder has subscribed and paid for stock in a corporation he cannot thereafter be deprived of his legal right to participate pro rata in any dividend declared by the subsequent arbitrary action of directors or stockholders attempting to classify stockholders not provided for in his contract."

Criminal Law—Liability of Party Incited by Official to Commit Crime.—Where officers of the law incite one to commit a crime and lure him on to its consummation, the law will not authorize a verdict of guilty against him, according to the holding in *Sam Yick v. United States*—United States Circuit Court of Appeals, Ninth Circuit, March 19, 1917—240 Fed. 60. The defendants were convicted under an indictment charging them with unlawfully conspiring to